

MINUTES OF SPECIAL MEETING
SUGAR CITY COUNCIL
FRIDAY, DECEMBER 23, 2005

Presiding: Mayor Dalling
Meeting convened at 7:00 a.m.
Prayer: Mayor Dalling

Present: Mayor Dalling; Sharon L. Bell, Clerk; Council members Tim Kershaw, Brent Barrus, Walter Deitz, and Harold Harris; Scott Lee, City Attorney; Sharee Palmer, Planning & Zoning Commission; Jan Gallup; Bruce King; and Brad Orme.

BALL, BROWN, HARRIS & JEPPESEN ANNEXATION:

Discussion on negotiation meeting with the City of Rexburg on December 21:

Discussion was had on the meeting with Rexburg and the County Commissioners regarding the Harris/Brown property. An executive session was held.

EXECUTIVE SESSION:

7:10 a.m. It was moved by Council member Kershaw and seconded by Council member Harris to go into executive session for the purpose of discussing potential litigation. The Mayor called for a roll call vote:

Those voting aye: Council members Kershaw, Barrus, Deitz and Harris

Those voting nay: None

Thereupon, the Mayor declared the motion passed.

8:05 p.m. The executive session ended and the special Council meeting reconvened.

The consensus of the Council was not to continue the negotiations regarding compromise.

P&Z RECOMMENDATION: Sharee Palmer, Chairman of the Planning & Zoning Commission made the following recommendation:

Sugar City Planning and Zoning Commission recommends to the Sugar City Council that it approve the proposed annexation of the Mountain Gold, Harris, Ball, Jeppesen properties on the grounds that the proposals meet legislative intent for annexation by cities as set forth in Title 50-222 Idaho Code, and that it meets provisions of the Sugar City comprehensive plan, and also that it accommodates property owners rights.

Sugar City Planning and Zoning Commission recommends to the Sugar City Council that the zoning designation for the Mountain Gold, Harris, Ball, Jeppesen property be as set forth in Map

1 of the proposed annexation agreement, specifically R-2, M-1, and C-2.

Sugar City Planning and Zoning Commission recommends to the Sugar City Council that the pre-annexation agreement for Mountain Gold, Harris, Ball, Jeppesen proposed annexation be approved as the final annexation agreement pursuant to Sugar City ordinance.

MOTION: It was moved by Council member Kershaw and seconded by Council member Barrus to accept Planning & Zoning's recommendation and to set a public hearing date for Wednesday, January 11, 2006, at 6:00 p.m. The Mayor called for a roll call vote.

Those voting aye: Council members Kershaw, Barrus, Deitz and Harris

Those voting nay: None

Thereupon, the Mayor declared the motion passed.

Jan Gallup reported she will pass along City Council's concerns and discussion today that the property owners need to step up to the plate now and be aware of their right to request judicial review if Rexburg proceeds.

Meeting adjourned at 8:10 a.m.

Signed: Glenn W. Dalling
Glenn W. Dalling, Mayor

Attested: Sharon L. Bell
Sharon L. Bell, Clerk